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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants: Bayer *et al.* Examiner: Monique M. Wills

Serial No.: 09/844,677 Group Art Unit: 1746

Filed: April 30, 2001

For: "Gas diffusion structures and gas diffusion
electrodes for polymer electrolyte fuel cells"

Customer No.: 23719

Kalow & Springut LLP
488 Madison Avenue, 19th Floor
New York, New York 10022

January 6, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NON FINAL OFFICE ACTION

Sir:

This submission is in response to the Office Action that was mailed on July 7, 2003 in connection with the above-identified application. Accompanying this response is a petition for a three-month extension of time and the requisite fee.

Certificate of Mailing Under 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

(Signature)

(Printed Name of Person Signing Certificate)

(Date)